

PUBLIC MATTER

1 STATE BAR OF CALIFORNIA
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FILED
DEC 17 2014
 STATE BAR COURT
 CLERK'S OFFICE
 LOS ANGELES



STATE BAR COURT
 HEARING DEPARTMENT - LOS ANGELES

In the Matter of:) Case Nos. 14-O-03260, 14-O-03986
)
 ROBERT G. SCURRAH, Jr.,)
 No. 82766,) NOTICE OF DISCIPLINARY CHARGES
)
 A Member of the State Bar.)

NOTICE - FAILURE TO RESPOND!

IF YOU FAIL TO FILE A WRITTEN ANSWER TO THIS NOTICE WITHIN 20 DAYS AFTER SERVICE, OR IF YOU FAIL TO APPEAR AT THE STATE BAR COURT TRIAL:

- (1) YOUR DEFAULT WILL BE ENTERED;
- (2) YOUR STATUS WILL BE CHANGED TO INACTIVE AND YOU WILL NOT BE PERMITTED TO PRACTICE LAW;
- (3) YOU WILL NOT BE PERMITTED TO PARTICIPATE FURTHER IN THESE PROCEEDINGS UNLESS YOU MAKE A TIMELY MOTION AND THE DEFAULT IS SET ASIDE, AND;
- (4) YOU SHALL BE SUBJECT TO ADDITIONAL DISCIPLINE. SPECIFICALLY, IF YOU FAIL TO TIMELY MOVE TO SET ASIDE OR VACATE YOUR DEFAULT, THIS COURT WILL ENTER AN ORDER RECOMMENDING YOUR DISBARMENT WITHOUT FURTHER HEARING OR PROCEEDING. SEE RULE 5.80 ET SEQ., RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA.

The State Bar of California alleges:

JURISDICTION

1. Robert G. Scurrah, Jr. (Respondent) was admitted to the practice of law in the State of California on November 29, 1978, was a member at all times pertinent to these charges, and is

1 currently a member of the State Bar of California.

2 COUNT ONE

3 Case No. 14-O-03260
4 Business and Professions Code, section 6106.3
5 [Violation of Civil Code section 2944.7(a)(1)-Illegal Advanced Fee]

6 2. On or about April 9, 2013, Respondent agreed to attempt to negotiate a home
7 mortgage loan modification for a fee for his client, Juan Espinoza, and thereafter between on or
8 about April 19, 2013, and May 23, 2013, received \$4,495 from the client before Respondent had
9 fully performed each and every service Respondent contracted to perform or represented to the
10 clients that Respondent would perform, in violation of Civil Code, section 2944.7, and in willful
11 violation of Business and Professions Code, section 6106.3.

12 COUNT TWO

13 Case No. 14-O-03986
14 Business and Professions Code, section 6106.3
15 [Violation of Civil Code section 2944.7(a)(1)-Illegal Advanced Fee]

16 3. On or about July 31, 2013, Respondent agreed to attempt to negotiate a home
17 mortgage loan modification for a fee for his client, John Demsher, and thereafter between on or
18 about August 7, 2013, and September 13, 2013, received \$5,795 from the client before
19 Respondent had fully performed each and every service Respondent contracted to perform or
20 represented to the clients that Respondent would perform, in violation of Civil Code, section
21 2944.7, and in willful violation of Business and Professions Code, section 6106.3.

22 **NOTICE - INACTIVE ENROLLMENT!**

23 **YOU ARE HEREBY FURTHER NOTIFIED THAT IF THE STATE BAR**
24 **COURT FINDS, PURSUANT TO BUSINESS AND PROFESSIONS CODE**
25 **SECTION 6007(c), THAT YOUR CONDUCT POSES A SUBSTANTIAL**
26 **THREAT OF HARM TO THE INTERESTS OF YOUR CLIENTS OR TO**
27 **THE PUBLIC, YOU MAY BE INVOLUNTARILY ENROLLED AS AN**
28 **INACTIVE MEMBER OF THE STATE BAR. YOUR INACTIVE**
ENROLLMENT WOULD BE IN ADDITION TO ANY DISCIPLINE
RECOMMENDED BY THE COURT.

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NOTICE - COST ASSESSMENT!

IN THE EVENT THESE PROCEDURES RESULT IN PUBLIC DISCIPLINE, YOU MAY BE SUBJECT TO THE PAYMENT OF COSTS INCURRED BY THE STATE BAR IN THE INVESTIGATION, HEARING AND REVIEW OF THIS MATTER PURSUANT TO BUSINESS AND PROFESSIONS CODE SECTION 6086.10.

Respectfully submitted,

THE STATE BAR OF CALIFORNIA
OFFICE OF THE CHIEF TRIAL COUNSEL

DATED: December 17, 2014

By: 

Anthony Garcia
Senior Trial Counsel

DECLARATION OF SERVICE

by
U.S. FIRST-CLASS MAIL / U.S. CERTIFIED MAIL / OVERNIGHT DELIVERY / FACSIMILE-ELECTRONIC TRANSMISSION

CASE NUMBER(s): 14-O-03260, 14-O-03986

I, the undersigned, am over the age of eighteen (18) years and not a party to the within action, whose business address and place of employment is the State Bar of California, 845 S. Figueroa Street, Los Angeles, California 90017, declare that:

- on the date shown below, I caused to be served a true copy of the within document described as follows:

NOTICE OF DISCIPLINARY CHARGES

- By U.S. First-Class Mail: (CCP §§ 1013 and 1013(a))
By U.S. Certified Mail: (CCP §§ 1013 and 1013(a))
By Overnight Delivery: (CCP §§ 1013(c) and 1013(d))
By Fax Transmission: (CCP §§ 1013(e) and 1013(f))
By Electronic Service: (CCP § 1010.6)

- (for U.S. First-Class Mail) in a sealed envelope placed for collection and mailing at Los Angeles, addressed to: (see below)
(for Certified Mail) in a sealed envelope placed for collection and mailing as certified mail, return receipt requested, Article No.: 9414 7266 9904 2010 0906 94 at Los Angeles, addressed to: (see below)
(for Overnight Delivery) together with a copy of this declaration, in an envelope, or package designated by UPS, Tracking No.: addressed to: (see below)

Table with 4 columns: Person Served, Business-Residential Address, Fax Number, Courtesy Copy to. Row 1: Mark Nicholas Zanides, Mark Nicholas Zanides, The Law Office of Mark Zanides, 34145 Pacific Coast Highway # 216, Dana Point, CA 92629, Electronic Address.

via inter-office mail regularly processed and maintained by the State Bar of California addressed to:

N/A

I am readily familiar with the State Bar of California's practice for collection and processing of correspondence for mailing with the United States Postal Service, and overnight delivery by the United Parcel Service (UPS). In the ordinary course of the State Bar of California's practice, correspondence collected and processed by the State Bar of California would be deposited with the United States Postal Service that same day, and for overnight delivery, deposited with delivery fees paid or provided for, with UPS that same day.

I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date on the envelope or package is more than one day after date of deposit for mailing contained in the affidavit.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct. Executed at Los Angeles, California, on the date shown below.

DATED: December 17, 2014

SIGNED: [Signature] LAURA JETT Declarant

State Bar of California